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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/374,408	08/13/1999	CHRISTOPHER C. ANDREWS	ANDREWS-0080	3712

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EXAMINER	
PHAN, JOSEPH T	
ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/374,408	ANDREWS, CHRISTOPHER C.	
	Examiner	Art Unit	
	Joseph T. Phan	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *75-144* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *75-144* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 75-144 rejected under 35 U.S.C. 102(e) as being anticipated by Codignotto, Patent #7,032,030.

Regarding claim 75, Codignotto teaches a method, comprising:

establishing an audio connection with a first user, receiving an audio signal from the first user via the audio connection(Fig.6); recording said received audio signal to create an audio file (col.21 lines 41-57);

storing said recorded audio file at a location accessible via the Internet(col.5 lines 58-67 and col.17 lines 1-5);

receiving input from said first user specifying a second user, wherein said input specifying said second user is received after said establishing said audio connection with said first user(col.14 lines 60-67, col.17 lines 18-38, col.22 lines 19-24);

receiving a request from said specified second user to access said stored audio files wherein said request is received via the Internet(col.7 line 65-col.8 line 6 and col.17 lines 1-17);

responsive to said request from said second user, providing said stored audio file to said second user via the Internet(col.5 lines 58-67 and col.7 line 65-col.8 line 6).

Regarding claim 76, Codignotto teaches the method of claim 75, wherein said received audio signal includes a plurality of component audio signals(col.21 lines 41-57).

Regarding claim 77, Codignotto teaches the method of claim 75, wherein said received audio signal corresponds to said first user's voice(col.21 lines 41-57).

Regarding claim 78, Codignotto teaches the method of claim 75, wherein the audio connection is established via a public telephone network, and wherein said request from said second user is via a browser(col.5 lines 58-67 and col.7 line 65-col.8 line 6).

Regarding claim 79, Codignotto teaches the method of claim 75, further comprising: receiving an indication from said first user that said recorded audio file is approved, wherein said storing is performed in response to said recorded audio file being approved(col.22 lines 19-22).

Regarding claim 80, Codignotto teaches the method of claim 79, further comprising: reproducing said recorded audio file prior to said receiving said indication from said first user that said recorded audio file is approved(col.22 lines 1-30).

Regarding claim 81, Codignotto teaches the method claim 80, wherein said reproducing said recorded audio file includes playing back said recorded audio file(col.22 lines 1-30).

Regarding claim 82, Codignotto teaches the method of claim 79, further comprising: editing said recorded audio file prior to said receiving said indication from said first user that said recorded audio file is approved(col.22 lines 1-30).

Regarding claim 83, Codignotto teaches the method of claim 79, further comprising: rerecording said audio file prior to said receiving said indication from said first user that said recorded audio file is approved (col.22 lines 1-30).

Regarding claim 84, Codignotto teaches the method of claim 75, wherein said providing said stored audio file to said second user via the Internet includes transmitting a link indicative of said location of said stored audio file(col.37 lines 61-67).

Regarding claim 85, Codignotto teaches the method of claim 75, further comprising: obtaining profile information from said first user; and
storing at least a portion of the obtained information in a user profile(col.14 lines 49-60)

Regarding claim 86, Codignotto teaches the method of claim 75, further comprising; billing said first user for said storing said recorded audio file(col.6 lines 10-25).

Regarding claim 87, Codignotto teaches the method of claim 75, further comprising: providing notification of said location of said stored audio file, wherein said notification is usable to access said stored audio file via the Internet(270 Fig.2).

Regarding claim 88, Codignotto teaches the method of claim 87, wherein said providing notification includes providing said location of said stored audio file to said first user(Fig.2-3).

Regarding claim 89, Codignotto teaches the method of claim 87, wherein said providing notification includes providing said location of said stored audio file to said second user(Fig.3).

Regarding claim 90, Codignotto teaches the method of claim 88, wherein said providing indication includes providing said location of said stored audio file to said second user(Fig.3).

Regarding claim 91, Codignotto teaches the method of claim 89, wherein said providing notification includes posting said location of said stored audio file on an Internet website(Fig.1).

Regarding claim 92, Codignotto teaches the method of claim 87, wherein said notification is provided via a telephone network(Fig.1).

Regarding claim 93, Codignotto teaches the method of claim 87, wherein said notification is provided via fax(120 Fig.1).

Regarding claim 94, Codignotto teaches the method of claim 87, wherein said notification is provided via email(140 Fig.1).

Regarding claim 95, Codignotto teaches the method of claim 87, wherein said providing notification includes transmitting a link indicative of a location of the audio file on said server(Fig.2).

Regarding claim 96, Codignotto teaches the method of claim 87, wherein said providing notification includes including a link to the stored audio file in a second file; and transmitting the second file to said first user(Fig.2).

Regarding claim 97, Codignotto teaches the method of claim 75, wherein said providing said stored audio file to said second user via the internet includes downloading said stored audio file to said second user(360 Fig.3).

Regarding claim 98, Codignotto teaches the method of claim 75, wherein said providing said stored audio file to said second user via the internet includes playing back said stored audio file to said second user(360 Fig.3).

Regarding claim 99, Codignotto teaches the method of claim 75, further comprising: making a determination regarding the quality of the recorded audio file(col.22 lines 1-30).

Regarding claim 100, Codignotto teaches the method of claim 99, wherein said determination regarding the quality of recorded audio file is based upon information received from said first user(col.22 lines 1-30).

Regarding claim 101, Codignotto teaches the method of claim 75, further comprising: making a determination regarding the content of the recorded audio file(col.22 lines 1-30).

Regarding claim 102, Codignotto teaches the method of claim 101, wherein said determination regarding the content of the recorded audio file is based upon information received from said first user(col.22 lines 1-30).

Regarding claim 103, Codignotto teaches the method of claim 102, further comprising: making a determination regarding the content of the recorded audio file(col.22 lines 1-30).

Regarding claim 104, Codignotto teaches the method of claim 103, wherein said determination regarding said quality and said determination regarding said content of the recorded audio file is based upon information received from said first user(col.22 lines 1-30).

Regarding claim 105, Codignotto teaches a system, comprising:
a processor, and a memory coupled to the processor, wherein the memory is configured to store program instructions executable by the processor to: establish an audio connection with a first user; receive an audio signal from the first user via the audio connection; record said received audio signal to create an audio file;
store said recorded audio file at a location accessible via the Internet(see also claim 1);
receive input from said first user specifying a second user, wherein said
input specifying said second user is received after said establishing said audio connection with said first user; receive a request from said specified second user to access said stored audio file, wherein said request is received via the internet;
responsive to said request from said second user, provide said stored audio
file to said second user via the Internet(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 106, Codignotto teaches the system of claim 105, wherein said received audio signal includes a plurality of component audio signals(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 107, Codignotto teaches the system of claim 105, wherein said received audio signal corresponds to said first user's voice(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 108, Codignotto teaches the system of claim 105, wherein the audio connection is established via a public telephone network, and wherein said request from said second user is via a browser(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 109, Codignotto teaches the system of claim 105, wherein said program instructions are further executable to:
provide notification to said first user of said location of said stored audio file,
wherein said notification is usable for accessing said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 110, Codignotto teaches the system of claim 105, wherein said program instructions are further executable to: make a determination regarding the content of the recorded audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 111, Codignotto teaches the system of claim 110, wherein said determination regarding the content of the recorded audio file is based upon information

received from said first user(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 112, Codignotto teaches the system of claim 105, wherein said program instructions are further executable to: provide a second user access to said stored audio file via the internet in response to said second user issuing a request corresponding to a link supplied by said first user(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 113, Codignotto teaches the system of claim 105, wherein said program instructions executable to provide access to said stored audio file include program instructions executable to download said stored audio file to said second user(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 114, Codignotto teaches the system of claim 105, wherein said program instructions executable to provide access to said stored audio file include program instructions executable to play back said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 115, Codignotto teaches a method, comprising:
receiving an audio signal from the first user;
recording said received audio signal to create an audio file; and
storing said recorded audio file at a location such that said stored audio file is accessible via the internet to any user specifying a first resource identifier corresponding to said location of said stored audio file (col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 116, Codignotto teaches the method of claim 115, wherein said received audio signal includes a plurality of component audio signals(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 117, Codignotto teaches the method of claim 115, wherein said received audio signal corresponds to said first user's voice(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 118, Codignotto teaches the method of claim 1 15, further comprising: receiving an indication from said first user that said recorded audio file is approved, wherein said storing is performed in response to said recorded audio file being approved (col.22 lines 1-30).

Regarding claim 119, Codignotto teaches the method of claim 115, further comprising: billing said first user for said storing(col.6 lines 9-24).

Regarding claim 120, Codignotto teaches the method of claim 1 15, further comprising: said first user specifying said location for storing said recorded audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 121, Codignotto teaches the method of claim 1 15, further comprising providing notification of said location of said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 122, Codignotto teaches the method of claim 121, when said notification is provided to said first user(Fig.2).

Regarding claim 123, Codignotto teaches the method of claim 121, when said notification is provided to said second user(Fig.3).

Regarding claim 124, Codignotto teaches the method of claim 121 wherein said providing notification includes posting said Internet location of said stored audio file on a website(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 125, Codignotto teaches the method of claim 121, wherein said notification is provided via a telephone network(fig.1)

Regarding claim 126, Codignotto teaches the method of claim 121, wherein said notification is provided via email(fig.10).

Regarding claim 127, Codignotto teaches the method of claim 115, further comprising: receiving a request to access said stored audio file, wherein said request includes said first resource identifier(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 128, Codignotto teaches the method of claim 127, wherein said request from said second User is a request to download said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 129, Codignotto teaches the method of claim 127, wherein said request from said second user is a request to play said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 130, Codignotto teaches the method of claim 115, wherein said audio signal is received via a public telephone network, and wherein said first resource identifier is a Uniform Resource Locator URL(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 131, Codignotto teaches the method of claim 115, wherein said first resource identifier is a Uniform Resource Locator, and wherein said stored audio file is accessible via a web browser by specifying said URL(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 132, Codignotto teaches the system, comprising:

a processor; and

a memory coupled to the processor, wherein the memory is configured to store program instructions executable by the processor to: receive an audio signal from the first user; record said received audio signal to create an audio file(see also claim 1); and store said recorded audio file at a location such that said stored audio file is accessible via the Internet to any user specifying a first resource identifier corresponding to said location of said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 133, Codignotto teaches the system of claim 132, wherein said received audio signal includes a plurality of component audio signals(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 134, Codignotto teaches the system of claim' 132, wherein said received audio signal corresponds to said tirst user's voice(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 135, Codignotto teaches the system of claim 132, said memory further comprising program instructions executable by the processor to bill said first user

for storing. said recorded audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 136, Codignotto teaches the system of claim 132, said memory further comprising program instructions executable by the processor to provide notification of said location of said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 137, Codignotto teaches the system of claim 136 wherein said program instructions executable by the processor to provide notification include program instructions executable to post said location of said stored audio file on an Internet website(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 138, Codignotto teaches the system of claim 136, wherein said notification is provided via a telephone network(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 139, Codignotto teaches the system of claim 136, wherein said notification is provided via email(Fig.1).

Regarding claim 140, Codignotto teaches the system of claim 132, said memory further comprising program instructions executable by the processor to receive a request to access said stored audio file, wherein said request includes said first resource identifier(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 141, Codignotto teaches the system of claim 140, wherein said request is a request to download said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 142, Codignotto teaches the system of claim 140, wherein said request is a request to play said stored audio file(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 143, Codignotto teaches the system of claim 132, wherein said audio signal is received via a public telephone network, and wherein said first resource identifier is a Uniform Resource Locator(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).

Regarding claim 144, Codignotto teaches the system of claim 132, wherein said first resource identifier is a Uniform Resource Locator , and wherein said stored audio file is accessible vi: a web browser by specifying said URL(col.14 lines 60-67, col.17 lines 1-38, col.21 lines 41-57, col.22 lines 19-24).\

Response to Arguments

2. Applicant's arguments with respect to claims 75-144 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTP
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